

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on March 10, 2009 at 9:00
A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: None

Members Absent: Sen. Jesse Laslovich (D)

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 102, HB 397, HB 403, 3/3/2009

Executive Action: None

HEARING ON HB 397

Opening Statement by Sponsor:

00:03:18 Rep. Deborah Kottel (D), HD 20, opened the hearing on
HB 397, Establish close relative registry.

Proponents' Testimony:

00:05:17 Katherine Dunn, self, Great Falls
00:05:51 Norma Carson, self, grandmother of Dan Pryor, Power
00:06:33 Vicky Lising, self
00:07:03 Arden Adler, self
00:07:18 Jacque Evanson, self
00:08:00 Claudia Clifford, Advocacy Director, AARP Montana

Opponents' Testimony:

None

Informational Testimony:

00:08:51 Shirley Brown, Division Administrator, Child and Family
Services, Department of Health and Human Services
(DPHHS)

Questions from Committee Members and Responses:

00:09:19 Sen. McGee
00:10:39 Rep. Kottel
00:12:04 Sen. Perry
00:13:13 Rep. Kottel
00:17:26 Sen. Esp
00:18:13 Ms. Brown
00:20:30 Sen. Larsen
00:20:59 Rep. Kottel
00:24:14 Sen. Curtiss
00:24:34 Ms. Brown
00:25:04 Sen. Perry
00:25:55 Rep. Kottel

Closing by Sponsor:

00:28:31 Rep. Kottel

HEARING ON HB 403

Opening Statement by Sponsor:

00:29:54 Rep. Deborah Kottel (D), HD 20, opened the hearing on HB 403, Include continuity of care in determining best interest of child.

Proponents' Testimony:

00:34:36 Katherine Dunn, self, Great Falls
00:39:46 Arden Adler, self
00:40:05 Norma Carson, self, grandmother of Dan Pryor, Power
[EXHIBIT\(jus53a01\)](#)
[EXHIBIT\(jus53a02\)](#)
00:44:15 Jacque Evanson, self; also for Francie Robertson
[EXHIBIT\(jus53a03\)](#)

Opponents' Testimony:

None

Informational Testimony:

00:48:20 Shirley Brown, DPHHS

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:48:49 Rep. Kottel
00:50:43 Sen. Esp
00:51:24 break

Distributed to the Committee Members after the hearing regarding HB 403 heard today 3/10/09:

[EXHIBIT\(jus53a04\)](#)

HEARING ON HB 102

Opening Statement by Sponsor:

01:04:18 Rep. Cary Smith (R), HD 55, opened the hearing on HB 102, Increase penalties for second and subsequent sexual assault.

[EXHIBIT\(jus53a05\)](#)

Proponents' Testimony:

01:06:19 Brent Brooks, Billings County Attorney, Billings; also for Judy Wang, Assistant City Attorney, Missoula

[EXHIBIT\(jus53a06\)](#)

01:11:20 Brant Light, Assistant Attorney General, Department of Justice (DOJ)

01:14:07 Kelsen Young, Executive Director, Montana Coalition Against Domestic and Sexual Violence

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:18:10 Sen. Larsen

01:19:08 Mr. Light

01:19:26 Sen. McGee

01:20:31 Mr. Brooks

01:22:20 Sen. Shockley

01:22:56 Mr. Brooks

01:28:01 Sen. Shockley

01:28:08 Rep. Smith

01:31:19 Sen. Shockley

01:31:46 Mr. Light

01:32:57 Sen. Esp

01:33:27 Mr. Light

01:35:00 Sen. Juneau

01:35:35 Mr. Light

01:39:12 Sen. Shockley

01:39:20 Mr. Light

01:41:13 Sen. Larsen
01:41:57 Rep. Smith
01:42:40 Sen. Larsen
01:43:27 Mr. Light
01:46:18 Sen. Perry
01:46:27 Mr. Light
01:47:06 Sen. McGee
01:47:45 Rep. Smith
01:48:34 Sen. Perry
01:50:01 Mr. Brooks
01:51:30 Sen. Perry
01:52:32 Mr. Light
02:01:38 Sen. Shockley
02:02:09 Mr. Brooks
02:04:19 Sen. Murphy
02:05:30 Mr. Light
02:08:13 Sen. Moss
02:08:41 Rep. Smith
02:11:23 Mr. Brooks

Closing by Sponsor:

02:12:24 Rep. Smith

Distributed to the Committee Members for HB 55, heard 3/9/09:
EXHIBIT(jus53a07)

ADJOURNMENT

Adjournment: 11:18 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus53aad.pdf](#))